

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GERALD P. SMITH, JR. and
ANGELA SMITH,

Plaintiffs,

v.

BLUE RIBBON TRANSPORT,
MICHAEL DAVID RODERICK,
and FRANCIS J. CAITO, INC. d/b/a
F.J. CAITO TRANSPORTATION,
jointly and severally,

Defendants.

Case No. 1:06-CV-234

Hon. Richard Alan Enslen

ORDER STRIKING SECOND
AFFIRMATIVE DEFENSE

In accordance with the Opinion of this date;

IT IS HEREBY ORDERED that Plaintiffs Gerald P. Smith, Jr. and Angela Smith's Motion to Strike Affirmative Defense (Dkt. No. 35) is **GRANTED** and Defendants Blue Ribbon Transport and Michael David Roderick's second affirmative defense contained in their Answer and Affirmative Defenses (Dkt. No. 5) is **STRICKEN**.

Dated in Kalamazoo, MI:
March 19, 2007

/s/Richard Alan Enslen
Richard Alan Enslen
Senior United States District Judge